



**BOROUGH OF MERCHANTVILLE  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
1 WEST MAPLE AVENUE, MERCHANTVILLE, NJ 08109  
(856) 662-2474 x 312**

**JOINT LAND USE BOARD  
APPLICATION PACKET**

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**Borough of Merchantville  
Joint Land Use Board  
1 West Maple Avenue, Merchantville, NJ 08109**

**APPLICATION PROCEDURE**

**STEP I: APPLICATION SUBMISSION**

The Application submission process consists of:

1. Completed Application. Every section should be completed. If an item is not applicable, please write "N/A."
2. Completed Escrow Agreement.
3. Completed 'Submission Item checklist' with all required items in the checklist. Items denoted with an 'X' are required. Items denoted with a '\*' may be required depending upon the circumstances of the application. If you believe that an item on the Checklist is not applicable or inappropriate, you must request a submission waiver with justification for such a waiver.
4. Payment of Application and Escrow Fees by cash or check in the Finance Office. Application fees are non-refundable. All checks are made payable to the "Borough of Merchantville." Separate checks must be submitted for the fee and the escrow.
5. Request 200' Public Notice List and pay associated fee to the Borough Clerk's office. You may need to obtain a 200' list from an adjoining municipality if your application involves property located within 200' of an adjoining municipality.
6. Request a Tax Search & pay associated fee to the Tax Collector. Taxes must be current before any application will be scheduled for a hearing.
7. When the foregoing is complete, submit your completed application package to the Board Administrative Officer, who will stamp it received with the date.

**STEP II: COMPLETENESS REVIEW**

1. The Board Administrative Officer will review the documentation submitted for compliance with the Application checklist and will transmit same to the Board's professionals, Bureau of Fire Protection, and Police Chief for review.
2. If necessary items have not been submitted, a completeness review will be sent to the Applicant (within 45 days of submission) indicating which items are outstanding. The required outstanding items must be addressed prior to being scheduled for a hearing.
3. The Board will consider requests for submission waivers, with significant weight given to the Board's professionals' recommendations.
4. Once all necessary items are submitted, the application will be deemed complete and formally scheduled for a hearing date.

### STEP III: PUBLIC NOTIFICATION

1. **Prepare the NOTICE OF HEARING.** A sample has been provided in this packet.
2. **Publish the NOTICE OF HEARING** as a 'legal notice' in the official newspaper of the community, i.e., Retrospect or Courier Post at least 10 days prior to the hearing (not including day of hearing):

The Retrospect, Legal/Public Notices  
732 Haddon Avenue,  
Collingswood, NJ 08108  
(856) 854-1400 ext. 22  
[legals@theretrospect.com](mailto:legals@theretrospect.com)

Courier Post, Legal Notices  
301 Cuthbert Blvd., Cherry Hill, NJ 08002  
Cherry Hill, NJ 08034  
(856) 486-2605 or 888-516-9220  
[cplegals@gannett.com](mailto:cplegals@gannett.com)

The newspaper will send you PROOF OF PUBLICATION, which must be submitted to the Administrative Officer at least three (3) days prior to the hearing.

3. **Distribute NOTICE OF HEARING by certified mail or hand delivery to all owners of real property located within 200 feet in all directions of the property**, whether located within the municipality or in an adjoining municipality. You must request the 200' property list from the Clerk's office of each municipality. Deliver notice either by Certified Mail or Hand Delivery at least 10 days prior to the hearing (not including day of hearing). If notice is provided via certified mail, you must fill out and retain copies of certified mail receipts; return receipts are not required. Note: You must provide notice to property owner(s) at owner's delivery address, which may be different than the property location.

If notice is hand delivered, the applicant shall write or type the following on the top of each page of the 200' public notice list: **"By signing and dating below, I acknowledge that I have received a written copy of the public notice of the Planning and/or Zoning board hearing."** The recipient must sign and date the line next to the address for proof of receipt. This signature shows only that the person has been notified; it does not indicate approval or disapproval of the application.

4. **Also, Distribute NOTICE OF HEARING by certified mail or hand delivery to:**

- a. All utility companies who have registered with the municipality (it will be attached to the 200' Property Owners List).
- b. The Clerk of the Adjoining Municipality and the County Planning Board where an application involves property located within 200' of an adjoining municipality. See addresses below.

Cherry Hill Municipal Clerk  
820 Mercer Street, Room 107  
Cherry Hill, NJ 08002

Pennsauken Municipal Clerk  
5605 N. Crescent Blvd.  
Pennsauken, NJ 08110

Camden County Planning Board  
2311 Egg Harbor Rd.  
Lindenwold, NJ 08021

- c. The County Planning Board where applications involve property adjacent to an existing or proposed County Road (see address above)

5. **Complete the AFFIDAVIT OF SERVICE.** A sample has been provided.

## STEP IV. SUBMIT PROOFS OF NOTICE

1. **Submit Proofs of Notice to the Administrative Officer** no later than three (3) days prior to the hearing date.
  - a. One copy of the **NOTICE OF HEARING** that was provided,
  - b. One copy of all **CERTIFIED MAIL RECEIPTS** (please keep originals for your records),
  - c. One copy of the **PROOF OF PUBLICATION** from the Courier-Post or Retrospect, and
  - d. The original **AFFIDAVIT OF SERVICE**

## STEP V: PREPARE PRESENTATION

1. **Please prepare a brief and concise presentation.** Include all relevant facts and exhibits, and provide reasons why your application should be approved. You may present photographs, sketches, testimony of witnesses, and/or any other pertinent information. The Applicant will receive a copy of any review letters from the Board's professionals prior to the hearing; the Applicant should be prepared to address any questions or comments raised therein.
2. **Burden of Proof is on Applicant.** The Board is required to consider certain criteria in evaluating your application, as specified in the Municipal Land Use Law (NJSA 40:55D-1 et seq.) Information about variances is provided in this package. If you have any questions regarding same, you should consult with an attorney.

## STEP VI: ATTEND THE HEARING

1. The Board meets on the second floor of Borough Hall in the Council Chambers, located at 1 W Maple Ave. The hearing begins at 7:30 p.m. A corporation, S-corp., LLC or LLP must be represented by a New Jersey Attorney. The procedure for the hearing is typically as follows:
  - a. The Board conducts Pledge of Allegiance & Roll Call.
  - b. The Chair determines which Applicants are present and announces the order of the hearing.
  - c. When the application is called, the Applicant or Applicant's attorney proceeds to the podium.
  - d. The Applicant and anyone giving testimony is sworn in.
  - e. The Applicant presents a concise summary of its application, presents all relevant facts and exhibits, and explains why the application should be approved.
  - f. The Board members ask questions after the Applicant's case is presented.
  - g. The public is then allowed to ask questions or make a sworn statement.
  - h. The Applicant has the opportunity to summarize its application and testimony.
  - i. The Chair closes the hearing and asks for discussion by the Board. No further comments can be made by the Applicant, designated representative, or the public as the Board deliberates.
  - j. A Board member makes a motion on the application and, if seconded, a vote is taken.
2. If a full seven (7) member Board is not present for a (d) variance, the Applicant may request a postponement of the hearing, as five (5) affirmative votes are required for approval.

## STEP VII: AFTER THE HEARING

### 1. **Memorialization of Resolution:**

- a. After the hearing the Board Attorney will prepare a legal document called a Resolution which will include all of the facts that were presented to the Board and the Board's reasoning for the approval/denial of the request.
- b. The Board must vote on the Resolution at a hearing within forty-five (45) days of the decision. The Board is voting to agree that the facts presented in the Resolution are the facts upon which their decision was based and that all conditions of approval (if applicable) are addressed appropriately in the Resolution. *The Applicant is not required to attend the hearing at which the resolution is memorialized.*
- c. A copy of the Resolution will be emailed or mailed to the Applicant.

### 2. **Notice of Decision.** The Board Attorney will submit a Notice of Decision to the official newspaper for publication within ten (10) days of the memorialization of the Resolution.

### 3. **Time Period for Appeal.** Any party interested in appealing a decision of the Board, must do so within forty-five (45) days of the publication of the Notice of Decision.

### 4. **Items to Submit After the Hearing:**

- a. **Conditions of Approval (if applicable).** Any and all conditions of approval must be satisfied (example: if modifications to the plans are required as a condition of approval, the revised plans must be submitted to the Board Administrative Officer). The Board Professionals will review the revised plans for conformance to ensure that any and all required documentation/modifications have been submitted.
- b. **Escrow.** Any outstanding review escrow, bond payments, and/or inspection escrow must be submitted prior to the issue of any permits. Should a positive balance remain in the escrow account after the project is complete and all bills are submitted, the Applicant should submit a written request to the Administrative Officer for a refund of the remaining escrow. Any unpaid professionals' bills will become a lien on the property.
- c. **Zoning Permit.** A Zoning Permit application may be submitted once the above items have been completed.

## FEE SCHEDULE

### **Appeal of the Decision of Zoning Officer**

Application Fee	\$150.00
Escrow	\$500.00

### **Interpretation of Zoning Map or Ordinance**

Application Fee	\$150.00
Escrow	\$500.00

### **Certificate of Legal Non-Conforming Use**

Application Fee	\$150.00
Escrow	\$500.00

### **‘C’ Variance (NJSA 40:55D-70(c))**

Application Fee	\$150.00
Escrow for Fences	\$300.00
Escrow for all other ‘c’ variances	\$750.00

### **“D” Variances (N.J.S.A. 40:55D-70(d))**

Application Fee	\$300.00
Escrow	\$600.00

### **‘Change of Use’ or ‘Conditional Use’ With No Exterior Changes or Site Alterations**

Application Fee	\$ 50.00
Escrow	\$300.00

### **Minor Site Plan (all other Minor Site Plans)**

Application Fee	\$150.00
Escrow	\$1,000.00

### **Major Site Plan**

Application Fee for Preliminary Review	\$300.00
Escrow for Preliminary Review	\$1,500.00 plus \$500.00 per acre (\$2,000.00 min.)
Application Fee for Final Review	\$300.00
Escrow for Final Review	\$1,000.00

### **Minor Subdivision**

Application Fee	\$300.00
Escrow	\$750.00 plus \$250.00 per lot (\$1,250.00 min.)

### **Major Subdivision**

Application Fee for Preliminary Review	\$500.00
Escrow for Preliminary Review	\$1,500.00 plus \$250.00 per lot (\$2,500.00 min.)
Application Fee for Final Review	\$300.00
Escrow for Final Review	\$2,000.00

## SAMPLE FORMS

### NOTICE OF HEARING MERCHANTVILLE JOINT LAND USE BOARD

Notice is hereby given that on \_\_\_\_\_ (month) \_\_\_\_\_ (day) , \_\_\_\_\_ (year) **at 7:30pm**, a public hearing will be held before the Joint Land Use Board of the Borough of Merchantville in the Council Chambers at Borough Hall, 1 West Maple Avenue, Merchantville, New Jersey 08109, upon the application of \_\_\_\_\_ (name of Applicant) who is seeking: \_\_\_\_\_ (describe nature of application and identify all variances being requested), for the property located at \_\_\_\_\_ (insert address), also known as Block \_\_\_\_\_, Lot(s) \_\_\_\_.

All interested parties will be given an opportunity to be heard. A copy of the application and exhibits are on file at the Borough Hall Community Development Office in the Annex for inspection between 8:30am and 4:30pm, during regular business hours, at least 10 days before the date of the hearing.

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### AFFIDAVIT OF PROOF OF SERVICE

I, \_\_\_\_\_, of full age, being duly sworn according to law, deposes and says, that (s)he resides at:

\_\_\_\_\_  
in the municipality of \_\_\_\_\_, County of \_\_\_\_\_  
and State of \_\_\_\_\_, that (s)he is (are) the Applicant(s) in a  
proceeding before Merchantville Joint Land Use Board, Merchantville, New Jersey, being an application under the Zoning Ordinance, which relates to premises located at \_\_\_\_\_.  
I have given written notice of the hearing on this application by newspaper publication on \_\_\_\_\_  
and to each and all of the persons within 200' of the property, in the required form and according to the attached lists either by hand-delivery or by certified mail in the manner indicated thereon.

\_\_\_\_\_  
Applicant(s) Signature

\_\_\_\_\_  
Date





**Borough of Merchantville  
Joint Land Use Board  
1 West Maple Avenue, Merchantville, NJ 08109**

## **CERTIFICATION OF PAYMENT OF TAXES**

Property Address: \_\_\_\_\_

Block: \_\_\_\_\_ Lot: \_\_\_\_\_

This is to certify that the real estate taxes for the above referenced property (are) (are not) current for the tax year.

\_\_\_\_\_  
Name of Borough Official

\_\_\_\_\_  
Signature of Borough Official

\_\_\_\_\_  
Date

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**Borough of Merchantville  
Joint Land Use Board  
1 West Maple Avenue, Merchantville, NJ 08109**

**200' PROPERTY LIST REQUEST**

**TO:** Borough Clerk and Tax Assessor

**DATE:** \_\_\_\_\_

I am requesting a list of property owners within two hundred (200) feet to the following subject property.

**SITE ADDRESS:** \_\_\_\_\_

**BLOCK:** \_\_\_\_\_ **LOT(S):** \_\_\_\_\_

**PROPERTY OWNER:** \_\_\_\_\_

**REQUESTED BY:** \_\_\_\_\_  
Applicant's Name

**ADDRESS:** \_\_\_\_\_

**EMAIL:** \_\_\_\_\_

**PHONE NUMBER:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_  
Applicant's Signature

A fee of \$10.00 is required to be paid when picked up. Checks or money orders are made payable to the 'Borough of Merchantville.'

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## INFORMATION ABOUT VARIANCES

*This information is being provided for informational purposes only; please consult with an attorney for further guidance.*

### TWO TYPES OF VARIANCES

#### I. Bulk Variance

A (c) bulk variance is the relief of requirements from the Zoning Ordinance, which generally relates to dimensional requirements, such as minimum lot size, off-street parking, and setbacks.

#### II. Use Variance and other (d) variances

A (d) use variance is a request to permit one of the following:

1. use or principal structure in a zone that restricts such a use or principal structure,
2. expansion of a non-conforming use
3. deviation from a specification or standard pertaining solely to a conditional use,
4. an increase in the permitted density (permitted number of dwelling units/gross area), except for detached one or two dwelling unit buildings,
5. an increase of more than ten (10') feet or 10% of the permitted height of a principal structure.

### BURDEN OF PROOF FOR VARIANCES

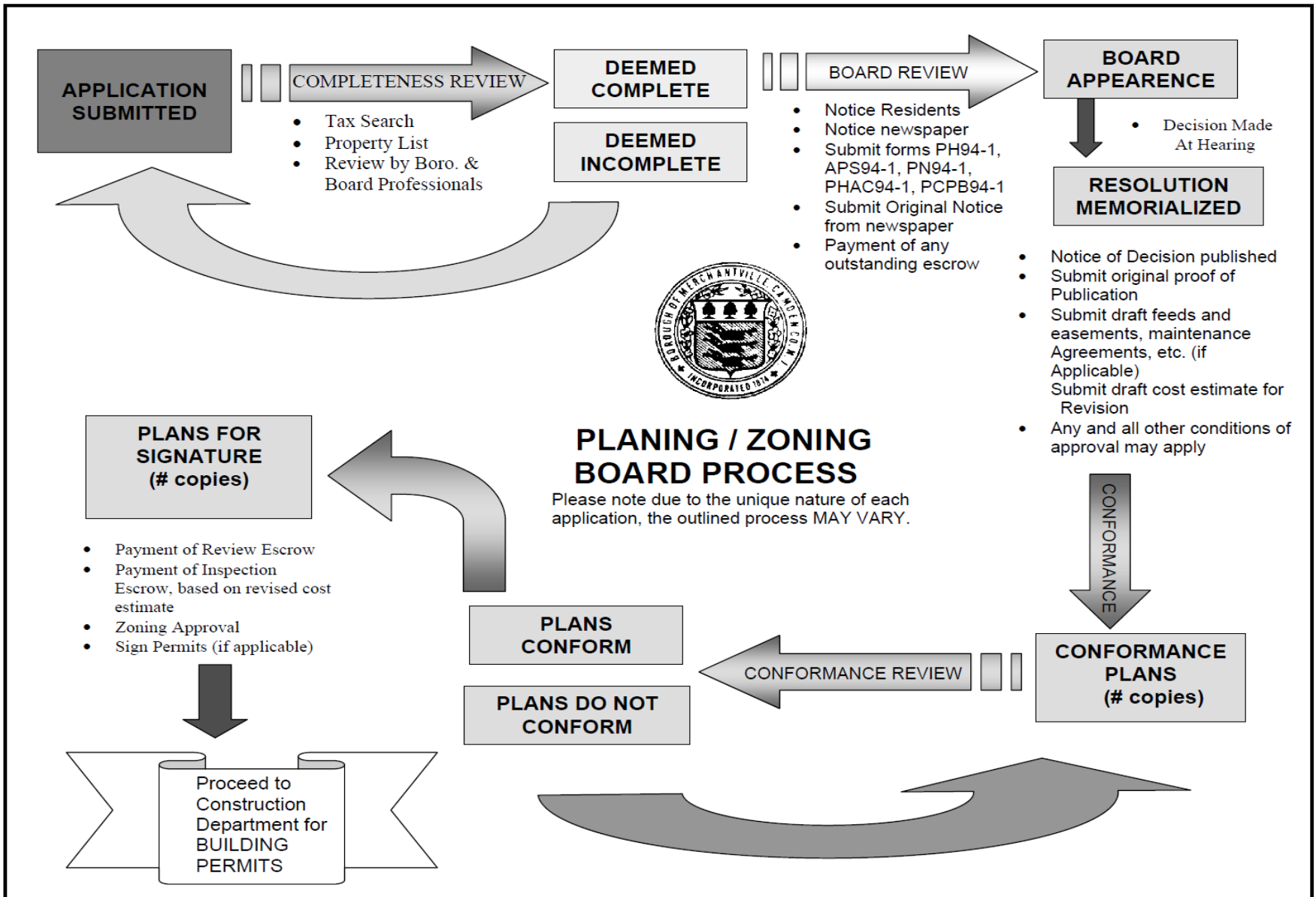
The burden of proof is on the Applicant to show that the application meets the following statutory requirements:

#### I. Bulk Variance N.J.S.A. 40:55D-70(c)

1. Due to the exceptional narrowness, shallowness or shape of property, or exceptional topographic conditions or physical features uniquely affecting the property, or an extraordinary and exceptional situation uniquely affecting the property or the structures lawfully existing there on, the strict application of zoning regulation would result in peculiar and exceptional practical difficulties, or exceptional and undue hardship upon the developer of such property. OR
2. The purposes of the Municipal Land Use Law (MLUL) would be advanced by a deviation from the zoning ordinance and the benefits of the deviation would substantially outweigh any detriment; AND
3. The relief can be granted without substantial detriment to the public good; AND
4. The relief will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

#### II. Use Variance or other (d) variances N.J.S.A. 40:55D-70(d)

1. There are "special reasons" meriting a use variance because:
  - a. it would advance one or more of the purposes of the MLUL set forth in NJSA 40:55D-2, or
  - b. the proposed use is particularly or peculiarly suited to the particular location for the variance which is sought (i.e., furthers the 'general welfare') or
  - c. the property owner would suffer "undue hardship" if compelled to use the property in conformity with the permitted uses in the zone. AND
2. The relief can be granted without substantial detriment to the public good AND
3. The relief will not substantially impair the intent and purpose of the zone plan and zoning ordinance.





Borough of Merchantville  
**JOINT LAND USE BOARD APPLICATION**  
1 W Maple Avenue  
Merchantville, NJ 08109  
(856) 662-2474 x 312

Date Received: \_\_\_\_\_ Application No.: \_\_\_\_\_ Fee Due: \_\_\_\_\_ Escrow Due: \_\_\_\_\_

**SECTION I- APPLICATION**

**1. APPLICANT**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: (\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_  
Email: \_\_\_\_\_  
Interest in Property: \_\_\_\_\_

**2. OWNER**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: (\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_  
Email: \_\_\_\_\_

**3. TYPE OF APPLICATION** (Check all that apply)

- |  |  |
|--|--|
| <input type="checkbox"/> Minor Subdivision                 | <input type="checkbox"/> Interpretation of Ordinance                               |
| <input type="checkbox"/> Major Subdivision - Preliminary   | <input type="checkbox"/> Appeal of Administrative Officer's Decision               |
| <input type="checkbox"/> Major Subdivision - Final         | <input type="checkbox"/> Certificate of Non-Conformity (NJSA 40:55D-68)            |
| <input type="checkbox"/> Minor Site Plan                   | <input type="checkbox"/> (d) Variance (NJSA 40:55D-70(d))                          |
| <input type="checkbox"/> Major Site Plan - Preliminary     | <input type="checkbox"/> (c) Variance (NJSA 40:55D-70(c))                          |
| <input type="checkbox"/> Major Site Plan - Final           | <input type="checkbox"/> Informal Concept Plan Review (NJSA 40:55D-10.1)           |
| <input type="checkbox"/> Amendment to Approved Site Plan   | <input type="checkbox"/> Street Vacation Request                                   |
| <input type="checkbox"/> Waiver from Site Plan Requirement | <input type="checkbox"/> Exception in Subdivision/Site Plan Regulation (40:55D-51) |
| <input type="checkbox"/> Conditional Use Approval          | <input type="checkbox"/> Other: _____  |

**4. PROPERTY INFORMATION**

Block \_\_\_\_\_ Lot \_\_\_\_\_ Site Address: \_\_\_\_\_  
Lot Size: \_\_\_\_\_ Number of Existing Lots: \_\_\_\_\_ Number of Proposed Lots \_\_\_\_\_  
Zoning District (please circle): R1 R2 R3 R4 B1 B2  
Are there existing Deed Restrictions or Easements? ☐ No ☐ Yes (please attach copies)

**5. ATTORNEY** (A corporation, LLC, limited partnership, or S-Corp must be represented by a New Jersey attorney).

Name: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: (\_\_\_\_) \_\_\_\_\_ Email: \_\_\_\_\_

**6. APPLICANT'S OTHER PROFESSIONALS** (Engineer, Planner, Architect, etc.)

Name: \_\_\_\_\_

Profession: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_

Email: \_\_\_\_\_

Name: \_\_\_\_\_

Profession: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_

Email: \_\_\_\_\_

**7. LAND USE**

**A. PROPERTY HISTORY:** Describe in detail nature of prior use(s) on the site, the date of commencement of such use, any prior Board applications for the site. *Attach copy of resolution, if applicable.*

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**B. PROPOSED USE:** Describe in detail proposed uses, operations, and activities to be conducted on the property. Be specific, including, but not limited to: (1) what type of goods or services, (2) hours of operation, (3) peak shift # of employees/personnel on site, (4) # of seats/tables, (5) will there be outdoor activities, (6) when and how often will you get deliveries, (7) explain how trash will be disposed, (8) any exterior changes. *Attach additional sheets if necessary.*

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**C. ADDITIONAL INFORMATION:****Existing****Proposed**

**Residential:** How many Dwelling Units?  
How many bedrooms in each Dwelling Unit?  
How many on-site parking spaces?

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**Commercial:** How many commercial uses on site?  
How many on-site parking spaces?

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## 8. ZONING BULK VARIANCE REQUESTS (complete sections related to the relief being requested)

	REQUIRED	EXISTING	PROPOSED
<b>Minimum Lot Requirements</b>			
Lot Area			
Frontage			
Lot Depth			
<b>Minimum Yard Requirements</b>			
Front Yard Setback			
Secondary Front Yard Setback			
Rear Yard Setback			
Side Yard Setback			
Aggregate Side Yard Setback			
Building Height			
<b>Lot Coverage Requirements</b> (Complete Attached Lot Coverage Table)			
<b>Parking Requirements</b>			
Parking Spaces			

	REQUIRED	EXISTING	PROPOSED
<b>Accessory Structures</b>			
Fence/Wall Height			
Garage Height			
Garage Area			
Shed Area			
Shed Height			
Pool Setback			
Pool Area in rear yard			
<b>Signage Requirements</b>			
Façade Sign Area			
Window Sign Area			
Freestanding Sign Area			
Overhanging Sign Area			
<b>Other (please add)</b>			

## 9. OTHER RELIEF REQUESTED? Please check box and explain.

- ☐ **Submission Waivers.** Waiver of required submission items identified in checklist.
- ☐ **Design Standard Waivers.** Waiver of development and site plan design standards. *Please note that waivers from New Jersey Residential Site Improvement Standards may require approval of New Jersey Site Improvement Advisory Board.*

**Please specify waivers below:**

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## LOT COVERAGE TABLE

ITEM DESCRIPTION ZONING DISTRICT _____	EXISTING AREA (SQUARE FEET)	PROPOSED AREA: EXISTING + PROPOSED (SQUARE FEET)
<b>1. LOT AREA</b> (Check survey or tax map. For rectangle lots, it's length x width)		N/A
<b>2. PRIMARY BUILDING</b> (ground floor of house and attached garage + attached roofed porch + attached roofed deck)		
<b>3. DETACHED GARAGE</b> (ground floor)		
<b>4. SHED</b>		
<b>5. POOL/HOT TUB/GAZEBO</b>		
<b>6. PATIOS/DECKS</b>		
<b>7. DRIVEWAYS/WALKWAYS</b>		
<b>8. OTHER</b> (Please identify)		

<b>BUILDING COVERAGE</b>		
SF= Add Items 2 + 3 + 4	_____ SF	_____ SF
% = (Item 2 + 3 + 4) ÷ Lot Area x 100	_____ %	_____ %
Percent Permitted in Zoning District?		_____ %
<b>ACCESSORY STRUCTURES COVERAGE</b>		
SF = Add Items 3 + 4 + 5	_____ SF	_____ SF
% = (Item 3 + 4 + 5) ÷ Lot Area x 100	_____ %	_____ %
Percent Permitted in Zoning District?		_____ %
<b>TOTAL IMPROVEMENT COVERAGE</b>		
SF= Add Items 2 thru 8	_____ SF	_____ SF
% = (Items 2+3+4+5+6+7+8) ÷ Lot Area x 100	_____ %	_____ %
Percent Permitted in Zoning District?		_____ %

## 11. ATTACHED EXHIBITS

List below all surveys, plans, photographs (numbered), reports, and other documentation submitted in support of this application. *Attach additional sheets if necessary.*

Quantity	Description
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

## 12. OTHER REQUIRED APPROVALS

	Yes	No	Status
Business Registration with Bureau of Fire Prevention	_____	_____	_____
Merchantville Pennsauken Water Commission	_____	_____	_____
Camden County Municipal Utility Authority	_____	_____	_____
Camden County Health Department	_____	_____	_____
Camden County Planning Board	_____	_____	_____
Camden County Soil Conservation District	_____	_____	_____
NJ Department of Environmental Protection	_____	_____	_____
Other (Specify) _____	_____	_____	_____
Other (Specify) _____	_____	_____	_____

It is the Applicant's responsibility to obtain any necessary approvals from all agencies having jurisdiction in this matter. Any approval by the Joint Land Use Board does not negate any necessary approvals, which may be required from other agencies.

### 13. NOTARIZED SIGNATURE OF APPLICANT

I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual Applicant, or that I am an Officer of the Applicant authorized to sign the application for the business organization. Additionally, I certify that the survey or plans submitted with this application shows and discloses the premises in its entirety, and I further certify that no buildings, fences, or other facilities have been constructed, installed, or otherwise located on the premises after the date of the survey with the exception of the structures shown.

SWORN & SUBSCRIBED to before me this

\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_ (year)

\_\_\_\_\_ (notary)

\_\_\_\_\_  
Signature (Applicant)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature (Applicant)

\_\_\_\_\_  
Date

### 14. NOTARIZED CONSENT OF OWNER

I certify that I am the Owner of the property which is the subject of this application, hereby consent to the making of this application and approval of the plans submitted herewith. I further consent to the inspection of this property in connection with this application as deemed necessary by the municipal agency (if owned by a corporation, a resolution must be attached authorizing the application and officer signature).

SWORN & SUBSCRIBED to before me this

\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_ (year)

\_\_\_\_\_ (notary)

\_\_\_\_\_  
Signature (Applicant)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature (Applicant)

\_\_\_\_\_  
Date

### 15A. DISCLOSURE STATEMENT (circle all that apply)

Pursuant to N.J.S.A. 40:55D-48.1 & 48.2, please answer the following questions:

Is this application to subdivide a parcel of land into six (6) or more lots?	Yes	No
Is this application to construct a multiple dwelling of twenty-five (25) or more units?	Yes	No
Is this an application for approval of a site (or sites) for non-residential purposes?	Yes	No
Is this Applicant a corporation?	Yes	No
Is the Applicant a limited liability corporation?	Yes	No
Is the Applicant a partnership?	Yes	No

If you responded **YES** to any of the above, please complete the following ownership disclosure statement (use additional sheets if necessary):

**15B. BUSINESS ORGANIZATION OWNERSHIP DISCLOSURE STATEMENT****NAME OF CORPORATION, PARTNERSHIP, LLC, LLP, S-CORP:**  
\_\_\_\_\_

Listed below are the names and addresses of all owners of 10% or more of the stock/interest\* in the above referenced business organization:

NAME		ADDRESS

\*If a corporation or a partnership owns 10% or more of the stock of a corporation, or 10% or greater interest in a partnership, that corporation or partnership shall list the names and addresses of its stockholders holding 10% or more of its stock or of 10% or greater interest in the partnership, and this requirement shall be followed until the names and addresses of the non-corporate stockholders and individual partners, exceeding the 10% ownership criterion established have been listed.

SWORN &amp; SUBSCRIBED to before me this

\_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_ (year)

\_\_\_\_\_ (Notary)

\_\_\_\_\_  
SIGNAURE (OFFICER/PARTNER)\_\_\_\_\_  
DATE\_\_\_\_\_  
TITLE**\*\*\*\*\*FOR OFFICE USE ONLY\*\*\*\*\***

I have reviewed the application in accordance with the rules of the applicable Board and Ordinances of the Borough of Merchantville and determined that all the checklist items: *(mark one of the following)*

- ☐ have been submitted and the Application is complete.  
☐ have not been submitted; the Application is not deemed complete.  
☐ have not been submitted, but the Applicant is requesting submission waivers to be decided by the Board, with advice of Board professionals.

TAXES PAID? YES / NO \_\_\_\_\_ (initial) FEE PAID? \$ \_\_\_\_\_ ESCROW PAID? \$ \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE (Land Use Administrator/officer)\_\_\_\_\_  
Date

**INTENTIONALLY LEFT BLANK**

## SECTION II - ESCROW AGREEMENT

# \_\_\_\_\_

**THIS AGREEMENT** made this \_\_\_\_\_ day of \_\_\_\_\_,

(Name) \_\_\_\_\_ is hereinafter referred to as the "Applicant." The Joint Land Use Board and/or Historic Preservation Commission of the Borough of Merchantville is hereinafter referred to as "Board," and the Borough of Merchantville in the County of Camden is hereinafter referred to as "Borough."

**WHEREAS**, the Applicant is proceeding under Merchantville's Code of Ordinances for approval of \_\_\_\_\_  
at \_\_\_\_\_ (address); and

**WHEREAS**, the Ordinance requires the Applicant to establish an escrow whereby work required to be performed by professionals employed by the Board for the review of applications for development, review and preparation of documents, inspection of improvements, or other purposes under NJSA 40:55D-1 et seq. will be paid for by the Applicant;

**NOW, THEREFORE,**

**SECTION 1. PURPOSES** The Applicant agrees to pay all reasonable professional fees for services rendered to the Board and/or Borough for review of applications for development, review and preparation of documents, inspection of improvements, or other purposes under the provisions of N.J.S. 40:55D-1 et seq.

**SECTION 2. ESCROW ESTABLISHED** The Applicant hereby creates an escrow to be established within the Borough for the purposes set forth in Section 1.

**SECTION 3. DEPOSIT OF ESCROW FUNDS** The Applicant, upon execution of this agreement, shall pay to the Borough such sums as are required by Ordinance to be deposited in the repository referred to in Section 2.

### **SECTION 4. INCREASE IN ESCROW FUND**

If, during the existence of this Escrow Agreement, the funds held by the escrow shall be insufficient to cover any voucher or bill submitted by the professional staff and reviewed and approved by the Chief Financial Officer of the Borough or her designee, the Applicant shall, within fourteen (14) days of receipt of written notice, deposit additional sums with the escrow holder to cover the amount of the deficit referred to above and such additional amount reasonably anticipated by the Borough needed to complete the application process. Receipt of notice shall be presumed to have occurred three (3) days after mailing, unless otherwise shown.

**Additionally, until such funds are fully replenished, no further consideration, review, processing of any pending application shall be permitted by the Board, nor shall any further inspections be performed by or on behalf of the Borough until such additional escrow has been deposited**, with the exception of any required health and safety inspections, which may be made, and charged back against the account.

### **SECTION 5. FAILURE TO POST SUFFICIENT ESCROW FUNDS.**

Failure to post sufficient escrow funds to cover costs incurred or anticipated shall toll the period for action by the approving authority, thereby barring an Applicant from seeking a default approval under N.J.S.A. 40:55D-10.4. After a period of forty five (45) days from the notice from the Borough, the Applicant's failure to deposit the additional funds shall be grounds for denial of the application or for dismissal of the application without prejudice. In the event the Board approves the application, the obligation to pay any outstanding professional fees for services rendered to the Borough and/or Board shall be a condition of the approval granted by the Board. The failure to pay may also result in a voiding of any prior approvals upon due notice to the Applicant by the Board.

Additionally, the Applicant hereby agrees that in the event the reasonable and necessary amounts charged by the professionals for review of the application are not paid, the outstanding fees shall be deemed a lien on the subject property and shall be collectable as in the case of taxes by the adoption of a resolution by the Borough's governing body upon receipt of a certification that the amounts are due and owing pursuant to this agreement. Negative escrow balances shall incur interest at 1.5% per month.

**SECTION 6. PAYMENTS REQUIRED PRIOR TO ISSUANCE OF PERMITS.** No Zoning permits, building permits, certificates of occupancy or any other types of permits may be issued with respect to any approved application for development until all bills for reimbursable services have been received by the municipality from professional personnel rendering services in connection with such application and payment has been made.

**SECTION 7. TRANSFER OF PROPERTY OR CHANGE IN IDENTITY OF APPLICANT.**

In the event of the sale or transfer of property which is the subject of a development application, or a change in the identity of the Applicant, all funds on deposit pursuant to this agreement shall run with the development application affecting the property in question and shall be considered to be the asset and/or obligation of any subsequent owner or Applicant unless the initial owner or Applicant provides written notice to the approving authority, and to the professionals providing services, that the initial owner or Applicant has specifically reserved ownership rights of the escrow account. In the event such a notice is received, no further review shall be undertaken by relevant professionals until the new or subsequent owner or Applicant has established an escrow account and signed an escrow agreement.

**SECTION 8. PAYMENT VOUCHERS**

The professionals referred to in this Agreement, upon the conclusion of their services or periodically during the performance of their services, shall submit vouchers conforming to the requirements established by the Borough for vouchers of the type and kind with an informational copy to the Applicant. Said vouchers shall include the amounts of all fees and costs incurred as a result of the services set forth under Section 1 of this agreement.

**SECTION 9. PAYMENTS FROM ESCROW FUNDS**

The Community Development Director, or its designee, shall review the vouchers submitted by the professionals to determine whether the services have been performed in the manner and to the degree required by this Agreement. Upon making a determination that said services have been performed properly, the Chief Financial Officer shall process said vouchers in the same manner and under the same terms as are normally employed for vouchers submitted for work performed on behalf of the Borough. At the conclusion of this processing, the amounts specified in said vouchers shall be paid by the escrow holder from the escrow established pursuant to this agreement

**SECTION 10. APPLICANT NOTIFICATION TO DISPUTE CHARGES**

Pursuant to N. J. S. A. 40:55D -53. et seq., whenever an Applicant disputes the charges made by a professional for service rendered to the municipality in reviewing applications for development, review and preparation of documents, inspection of improvements, or other charges made, Applicant shall first notify the governing body in writing of its appeal, with copies to the Chief Financial Officer, the approving authority, and the professional(s). The governing body shall attempt within a reasonable time period to mediate any disputed charges.

If the matter is not resolved to the satisfaction of the Applicant, the Applicant may appeal to the Camden County Construction Board of appeals, 520 Market Street, Camden, NJ (856) 225-5417. During the pendency of an appeal in accordance with this section, the municipality or approving authority shall continue to process, hear and decide the application for development and to inspect the development in the normal course and shall not withhold, delay, or deny reviews, inspections, signing of subdivision plats or site plans, the reduction or the release of performance or maintenance guarantees, the issuance of construction permits or certificates of occupancy or any other approval or permit because an appeal has been filed or is pending under this subsection.

**SECTION 11. RETURN OF UNUSED ESCROW FUNDS.** The Applicant shall send written notice by certified mail to the Chief Financial officer and the approving authority and to the relevant municipal professional, that the application or the improvements are completed. After receipt of such notice, the professionals shall render a final bill to the Chief Financial Officer within 30 days with a copy to the Applicant. The Chief Financial Officer shall render a written final accounting to the Applicant on the uses to which the deposit was made within 45 days of receipt of final bill. Any balance remaining shall be refunded to the Applicant.

**IN WITNESS WHERE OF**, the parties hereto have set their hands and seals the date first written above.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature\*

\*If company is a corporation or LLC, signature must be attested to by an attorney



## SECTION III - CHECKLIST

#	Submission Item No. and Description	Minor		Major Preliminary		Major Final		Variance		Waiver Requested	Item Submitted
		Site Plan	Sub-division	Site Plan	Sub-division	Site Plan	Sub-division	Use	Bulk		
1	Original and two (2) copies of Completed Application.	X	X	X	X	X	X	X	X		
2	Proof of Payment of Fees & Escrow. Original, completed Escrow Agreement.	X	X	X	X	X	X	X	X		
3	Original and two (2) copies of Completed Checklists, double sided.	X	X	X	X	X	X	X	X		
4	Certification of Payment of Taxes from Clerk or Tax Collector	X	X	X	X	X	X	X	X		
5	Proposed Notice of Public Hearing	X		X	X			X	X		
6	Summary. A written description of the proposed uses and operation of the site/structure, including, but not limited to: the number and type of employees/personnel, the proposed number of tables/seats, the proposed number of shifts worked, the maximum number of employees/personnel on each shift, the hours of operation, expected times and days of deliveries, expected truck traffic, noise, glare, radiation, heat, odor, safety hazards, air and water pollution, vibrations, any proposed outside activities, any exterior changes.	X		X		X		X	X		
7	3 sets of color photographs of subject site. Additional copies may be required once deemed complete.	X	X	X	X	X	X	X	X		
8	Architectural Plans. Proposed structures, i.e., size, height, location, and arrangement. It shall include an architect's scaled elevation of the front, side and rear of any structure to be modified, with building lighting and attached signage.	X		X		X		X	X		
9	Floor Plans if multiple dwelling units proposed, or if more than one use is proposed that have different parking standards.	X		X	X	X		X	X		
10	Proposed signs, including the location, size, height, width, sign text and design details, and proposed materials. For commercial signs, measurement of building width of each street frontage is required. For freestanding signs, a Sign Location Plan showing sight triangles.	X		X		X		X	X		
11	Outside Approvals. List and provide application permits of regulatory agencies (NJDOT, NJDEP, CCSC, etc.).	X	X	X	X	X	X	X	X		
12	Three (3) copies of 24 x 36 or 30 x 42 Development Plans, prepared to scale based on deed description, survey, or similarly reasonable accurate data. Twelve (12) copies will be required once deemed complete.	X	X	X	X	X	X				
13	Three (3) copies of Half-Size plans of item 12, no smaller than 11" x 17." Twelve (12) copies will be required once deemed complete. *For residential applications, plans can be 8.5" x 11."	X	X	X	X	X	X	X	X*		

CHECKLIST											
#	Submission Item No. and Description	Minor Site Plan	Sub-division	Major Preliminary Site Plan	Sub-division	Major Final Site Plan	Sub-division	Variance Use	Bulk	Waiver Requested	Item Submitted
14	Title: Title indicating Type of Requested Approval. For example "Minor Site Plan for [name of development]."	X	X	X	X	X	X		X		
15	Key Map. If more than one sheet is required to show the entire development, a separate composite map shall be drawn showing the entire development on the sheets of which various sections are shown, and each detail sheet shall include a key map showing its relationship.			X	X	X	X				
16	Survey. Three (3) copies of a survey by a licensed NJ Land Surveyor (PLS), certified on a date within six (6) months of the date of submission.	X	X	X	X	X	X		X		
17	Title Block containing block and lot number for the tract and the name of the Borough.	X	X	X	X	X	X		X		
18	North Arrow.	X	X	X	X	X	X		X		
19	Name & Address of Applicant and owner.	X	X	X	X	X	X		X		
20	Preparer. Name & address, telephone number, email, website, and signature and seal of the Plan preparer.	X	X	X	X	X	X		X		
21	Scale not less than 1"= 30' with graphic and written scales shown.	X	X	X	X	X	X		X		
22	Date of original drawing with subsequent revision dates.	X	X	X	X	X	X		X		
23	Area Map with north arrow showing the entire development and its relation to surrounding areas at a scale of not less than 1' = 2,000'.	X	X	X	X	X	X				
24	The names, addresses, block and lot numbers of all surrounding properties within 200' of the development.	X	X	X	X						
25	Locations of all existing structures and their uses within 200' of the tract. *For residential bulk variance applications, an aerial photo may be submitted instead. The Applicant shall identify the shortest distance between any proposed structure and structures on an adjacent affected property.	X		X	X			X	X*		
26	Zoning district of subject property, adjoining Properties, and all property within a 200' the property.	X	X	X	X						
27	Zoning Schedule showing required, existing, and proposed lot & yard requirements for relevant zone(s) including, area, frontage, depth, setbacks, height etc.	X	X	X	X	X	X		X		
28	Existing and proposed building coverage in square feet and as a percentage of lot area.	X	X	X			X		X		
29	Open Space. Existing and proposed open space in acres of square feet and as a percentage of lot area.	X		X		X					

<b>CHECKLIST</b>											
#	Submission Item No. and Description	Minor Site Plan	Sub-division	Major Preliminary Site Plan	Sub-division	Major Final Site Plan	Sub-division	Variance Use	Bulk	Waiver Requested	Item Submitted
30	Proposed parking lot layout with driveway aisle widths and dimensions; parking spaces with size, number, location, and ADA spaces; loading areas; fire lane, curbs; radii of curb line, ADA ramps, signage, striping, etc. Construction details for same.	X	X	X	X	X	X		X		
31	Easements & ROW. Name, width, and location of existing and proposed easements, right-of-ways, deed restrictions or covenants with reference source. The plans should note if none exist.	X	X	X	X	X	X		X		
32	Monuments. Location and descriptions of all existing or proposed boundary control monuments and pipes.		X		X		X				
33	Area of original tract to the nearest one hundredth of an acre.	X	X	X	X	X	X				
34	Existing lot lines to be eliminated.		X		X						
35	Number of lots being eliminated.		X		X						
36	Area of each proposed lot correct to one-hundredth of an acre.		X				X				
37	Each block and each lot shall be numbered, as approved by the Tax Assessor		X				X				
38	Existing Structures & Uses on the tract to include the shortest distance between any existing building and proposed or existing lot line, and as identification of those to be removed.	X	X	X	X	X			X		
39	Setbacks. All side, rear, and front setback lines with dimensions.	X	X	X	X	X	X		X		
40	Phasing Plan of staging of overall development.			X		X					
41	Signatures, Appropriate places for the signature of the Chair, Secretary, and various Professionals of the subject board, the dates of official Board actions, dates of signatures.	X	X			X	X				
42	Existing and proposed elevations and contour lines over the entire area of the proposed development and two (2) permanent bench marks based upon U.S.G.S. datum. Contours shall be shown at not more than two (2) foot intervals for areas with less than twenty (20%) percent slope, five (5) foot intervals for areas in excess of twenty (20%) percent slope.	X	X	X	X	X	X				
43	Locations and dimensions of artificial and/or natural features such as railroad rights-of-way, bridges, dams, soil types, wooded areas, etc.	X	X	X		X					
44	Existing Tree Location. Locations, species, and size of trees eight (8') inches or more at breast height diameter.	X	X	X		X					
45	Locations of all existing and proposed water courses (i.e. lakes, Streams, ponds, swamps or marsh areas, or under drain) within 500 feet of the development. Show the location and water level elevations.	X	X	X	X	X					
46	Flood Plain limits as determined by most recent FEMA FIRM maps and onsite evaluations by a licensed professional engineer.	X	X	X	X						
47	Freshwater Wetlands & transition area boundaries, and stream buffer with NJDEP or accepted reference.	X	X	X	X	X	X				
48	Landscaping Plan showing number, size, species and location, installation details. *The Board may require a landscape plan for required landscape buffers.	X	X	X	X	X		*	*		

<b>CHECKLIST</b>											
#	Submission Item No. and Description	Minor Site Plan	Sub-division	Major Preliminary Site Plan	Sub-division	Major Final Site Plan	Sub-division	Variance Use	Bulk	Waiver Requested	Item Submitted
49	Soil Borings. Test boring, percolation rates and water levels shall be obtained by a licensed engineer.	X	X	X	X						
50	Utilities, Plans and profiles for all storm lines, under drains, ditches, and basins whether onsite or off-tract, affected by the development including, construction details:	X	X	X	X	X	X				
A	Location of each inlet, manhole or other appurtenance.	X	X	X	X	X	X				
B	Slope of line.	X	X	X	X	X	X				
C	Pipe material type.	X	X	X	X	X	X				
D	Strength, class or thickness.	X	X	X	X	X	X				
E	Erosion control and soil stabilization methods.	X	X	X	X	X	X				
51	Existing Features. Names, locations and dimensions of all existing streets and existing driveways, and any connections by the development to existing streets, sidewalks, bike routes, water, sewer, or gas mains within 200'.	X	X	X	X	X	X				
52	Streets and Sidewalks. Plans for all proposed streets, public r.o.w. improvements, whether onsite or off-tract showing:			X	X	X	X				
A	Acceleration / deceleration lanes			X	X	X	X				
B	Traffic channelization.			X							
C	Fire lanes.	X		X		X					
D	Curbs.	X		X	X	X	X				
E	Radii of curb line.	X		X	X	X	X				
F	ADA ramps, signage, striping, etc.	X		X	X	X	X				
G	Sidewalks and bicycle routes.	X		X	X	X	X				
H	Vehicles, Persons, etc.	X		X		X					
I	Directional and traffic signs with scaled drawings.	X		X		X					
J	Sight triangle easements at intersections and driveways.			X	X	X	X				
K	Location of street names and signs.			X	X	X	X				
L	Traffic control devices.			X	X	X	X				
M	Street lights.			X	X	X	X				
N	Fencing, railroad ties, bollards, and parking bumpers.	X		X		X					
O	Cross sections.			X	X	X	X				
P	Center line profiles at horizontal scale not less than 1"-30 for all existing adjoining streets and proposed streets.										

#	CHECKLIST Submission Item No. and Description	Minor		Major Preliminary		Major Final		Variance		Waiver Requested	Item Submitted
		Site Plan	Sub- division	Site Plan	Sub- division	Site Plan	Sub- division	Use	Bulk		
Q	Standard details for curbing, sidewalks, bike paths, paving, driveways, stone or graveled surfaces, bollards, railroad ties and fences.	X	X	X	X	X	X				
53	Lighting Plan showing photometric patterns, isolux, footcandles, etc.	X		X		X					
54	Sewer & Water. Plans and profiles of water, and sewer layouts whether onsite, off-tract showing:		X	X	X	X	X				
A	Size and types of pipes and mains.	X	X	X	X	X	X				
B	Slope.	X	X	X	X	X	X				
C	Pumping stations.	X	X	X	X	X	X				
D	Fire Hydrants.	X	X	X	X	X	X				
E	Standard details.	X	X	X	X	X	X				
F	Trench repair details for street crossings.	X	X	X	X	X	X				
G	If service is to be provided by an existing water or sewer utility company, a letter from that company shall be submitted, indicating, that service shall be available before occupancy of any proposed structures.	X	X	X	X	X	X				
55	Soil Erosion & Sediment Control Plan, per County Soil Conservation District	X	X	X	X						
56	Three (3) copies of Traffic Impact Study.	X		X	X			X			
57	Three (3) copies of Preliminary Assessment (PA) and/or Phase I Environmental Assessment Report. If PA or Phase I Report indicates additional studies are recommended, all additional environmental reports for the site shall be supplied. *Also required for use variance applications, where contamination is suspected based on historical usage of the site or environs.	X		X	X			*			
58	Three (3) copies of Drainage Calculations Report, showing proposed drainage facilities in accordance with the appropriate drainage runoff requirements. Calculations must be accompanied by pre- and post- development drainage shed maps, and soil types as shown by Soil Conservation Survey Map.	X		X	X						
59	Three (3) copies of Stormwater Management Report.	X		X	X						
60	Three (3) copies of Basin Maintenance Manual.	X		X	X						
61	Three (3) copies of any additional reports.	X	X	X	X						
62	One (1) digital pdf copy of ALL items submitted.	X	X	X	X	X	X	X	X		

**END OF PACKET**